

D. Remarks

In the office action, the abstract of the disclosure was objected to because legal phraseology was used, i.e., "comprises". Claims 13 -21 were rejected under 35 U.S.C. 112 (first and second paragraphs). Claims 1-21 were rejected under 35 U.S.C. 101, as being directed to non-statutory subject matter.

The Examiner's notification of allowable subject matter is gratefully acknowledged.

The abstract

The abstract of the disclosure has been carefully reviewed and the legal phraseology "comprises" has been replaced by "includes".

Rejections under 35 U.S.C. 101, and 35 U.S.C. 112:

With respect to the rejection of claims 1-21 under 35 U.S.C. 101, the Office Action states that claims 1-21 do not recite the method/system for a practical application. Claims 1, 4, 7, 10, and 13 have been amended by incorporating the statement "*for use in encryption*", so as to make claims 1, 4, 7, 10, and 13 be directed to a practical application. The support for this recitation is found on page 6, lines 9-29.

With respect to the rejection of claims 13-21 under 35 U.S.C. 112 (first and second paragraphs), the Office Action states that claims 13-21 do not comply with the written description requirement, and fail to particularly point out and distinctly claim the subject matter. Claims 13 and 16 have been amended accordingly by removing the means plus

function claims and introducing the system element "*a primality tester*", to make claims 13 and 16 comply with the written description requirement, and to particularly point out and distinctly claim the subject matter. Claim 18 has been amended by removing the statement "the extension ring test comprises means" and incorporating the statement "*the primality tester comprises means*". The support for this recitation is found on page 7, lines 5-7 and 12-14, page 11, lines 10-24, and Fig. 3a and Fig. 3b.

Claim 16 has also been amended by incorporating the statement "*prime number generator, the prime number generator being connected to an encryption system, the encryption system using prime numbers generated by the prime number generator in encryption*", to make claim 16 be directed to a practical application. The support for these recitations is found on page 6, lines 1-6. Claim 18 is dependent on claim 16, in order to make claim 18 comply with the written description requirement, and to particularly point out and distinctly claim the subject matter, claim 18 has been amended by removing the statement "the extension ring test comprises means" and incorporating the statement "*the primality tester comprises means*". The support for this recitation is found on page 11, line 10, page 13, lines 5-8, lines, and Fig. 3a and Fig. 3b. Thus, applicants submit that claims 1, 4, 5, 7, 10, 11, 13, 16, and 18 are now allowable.

Claims 5 and 11 have been amended by inserting ",". Claim 10 has also been amended by inserting "and".

Since claims 2 and 3 depend on claim 1, which the applicants have made

allowable, the applicants claims 2 and 3 are now also allowable. Claims 8 and 9 depend on claim 7, which are now allowable, claims 8 and 9 are now also allowable. Since claim 18 depends on claim 16, which the applicants have now made allowable, the applicants claim 18 is also allowable.

Claims 6 and 12 have been canceled without prejudice. Claims 14, 15, 17, 19, 20, and 21 have also been canceled without prejudice.

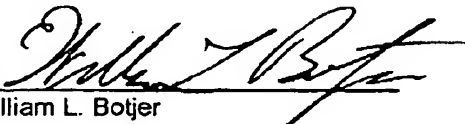
Claims 22 and 23 have been added directed to a computer program incorporating the present invention. Its respectfully submitted that these new claims are patentable over the art as is the prior claims. The support for this recitation is found on page 6, lines 9-29 and page 15, lines 10-18.

Regarding the rejection that the drawings do not show all aspects of the invention of claims 13-21 it is summated that the amendments to the claims have obviated the rejection as it is noted that the drawings also comprise figs 2 and 3 as well as fig 1 and that the invention set forth in the amended claims is shown therein. Accordingly it is respectfully requested that this objection be removed.

The present claims have been amended to overcome the rejection(s) under 35 U.S.C. 112, the first and second paragraphs, and 35 U.S.C. 101. It is respectfully submitted that the claims are now clearly patentable, and notice to that effect is earnestly solicited. If the Examiner has any questions regarding this matter, the Examiner is

requested to telephone the applicants' attorney at the numbers listed below, prior to issuing a further Office Action.

Respectfully submitted,

By 
William L. Botjer
Reg. No. 27.990
PO Box 478
Center Moriches, NY 11934
(212) 737-5728 (Tue-Thurs)
(631) 874-4826 (Mon & Fri)
(631) 834-0611 (cell if others busy)

Dated: November 13, 2006